

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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I IN RE: : CHAPTER 13  
MILTON ORTIZ : CASE NO. 5-15-01354  
Debtor(s) :

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**DEBTOR'S ANSWER TO TRUSTEE'S MOTION TO DISMISS**

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AND NOW COMES, Milton Ortiz, the Debtor, and files an Answer to the Trustee's Motion to Dismiss and states the following:

1. Milton Ortiz, (hereinafter the "Debtor") filed a Chapter 13 bankruptcy proceeding with the U.S. Bankruptcy Court for the Middle District of Pennsylvania.
2. Charles J. DeHart, III, Esq. is the standing Chapter 13 Trustee.
3. The Trustee filed a Motion to Dismiss the Debtor's Chapter 13 case stating the Plan is non confirmable.
4. An amended plan will be filed with the Court shortly.

WHEREFORE, the Debtors respectfully request that Trustee's Motion to Dismiss be denied.

Respectfully submitted,

Date: November 6, 2017

/s/Tullio DeLuca  
Tullio DeLuca, Esquire  
PA ID# 59887  
381 N. 9<sup>th</sup> Avenue  
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(570) 347-7764

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**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that on November 6, 2017, he caused a true and correct copy of Debtor's Answer to Trustee's Motion to Dismiss to be served via electronic filing in the above-referenced case, on the following:

Charles J. DeHart, III, Esq. at [dehartstaff@ramapo.com](mailto:dehartstaff@ramapo.com)

Dated: November 6, 2017

/s/Tullio DeLuca  
Tullio DeLuca, Esquire